



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE March 3, 2006	CONTACT/PHONE Stephanie Fuhs (805) 781-5721	APPLICANT MZ Enterprises of AG, Inc.	FILE NO. COAL 05-0315 SUB2005-00067
SUBJECT Hearing to consider a request by MZ Enterprises of AG Inc., for a Lot Line Adjustment (COAL 05-0315) to adjust the lot lines between two parcels of 18.79 and 26.59 acres each. The adjustment will result in two parcels of 20.2 and 25.18 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located on the north side of Huasna Road (at 3925 Santa Domingo Road) approximately five miles east of the City of Arroyo Grande. The site is in the Huasna-Lopez planning area.			
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 05-0315 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Categorical Exemption was issued on January 17, 2006 (ED05-257).			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Geologic Study Area	ASSESSOR PARCEL NUMBER 048-181-016 and 048-181-006	SUPERVISOR DISTRICT(S) 4
PLANNING AREA STANDARDS: None applicable			
LAND USE ORDINANCE STANDARDS: 22.14.070 – Geologic Study Area			
EXISTING USES: Parcel 1 – undeveloped, Parcel 2 – Single family residence and workshop			
SURROUNDING LAND USE CATEGORIES AND USES: <div style="display: flex; justify-content: space-between;"><div><i>North:</i> Agriculture/Undeveloped <i>South:</i> Agriculture/Scattered Residences</div><div><i>East:</i> Agriculture/Scattered Residences <i>West:</i> Agriculture/Scattered Residences</div></div>			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Ag Commissioner			
TOPOGRAPHY: Moderately sloping		VEGETATION: Grasses	
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF		ACCEPTANCE DATE: November 14, 2005	

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:
COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
18.79 acres	20.2 acres
26.59 acres	25.18 acres

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to conform to the minimum parcel size for the land use category. Currently, Parcel 1 which contains 18.79 acres, is below the minimum parcel size for the Agriculture land use category. After the adjustment, the parcel will be 20.2 acres, which conforms to the minimum parcel size for the land use category.

COMBINING DESIGNATIONS

22.14.070 – Geologic Study Area: Standards in this section do not apply to construction of one single family residence, not exceeding two stories, when not constructed in conjunction with two or more residences by a single contractor or owner on a single parcel, unless the area is subject to liquefaction or landslide.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

LEGAL LOT STATUS:

The two lots were legally created a recorded map at a time when that was a legal method of creating lots.

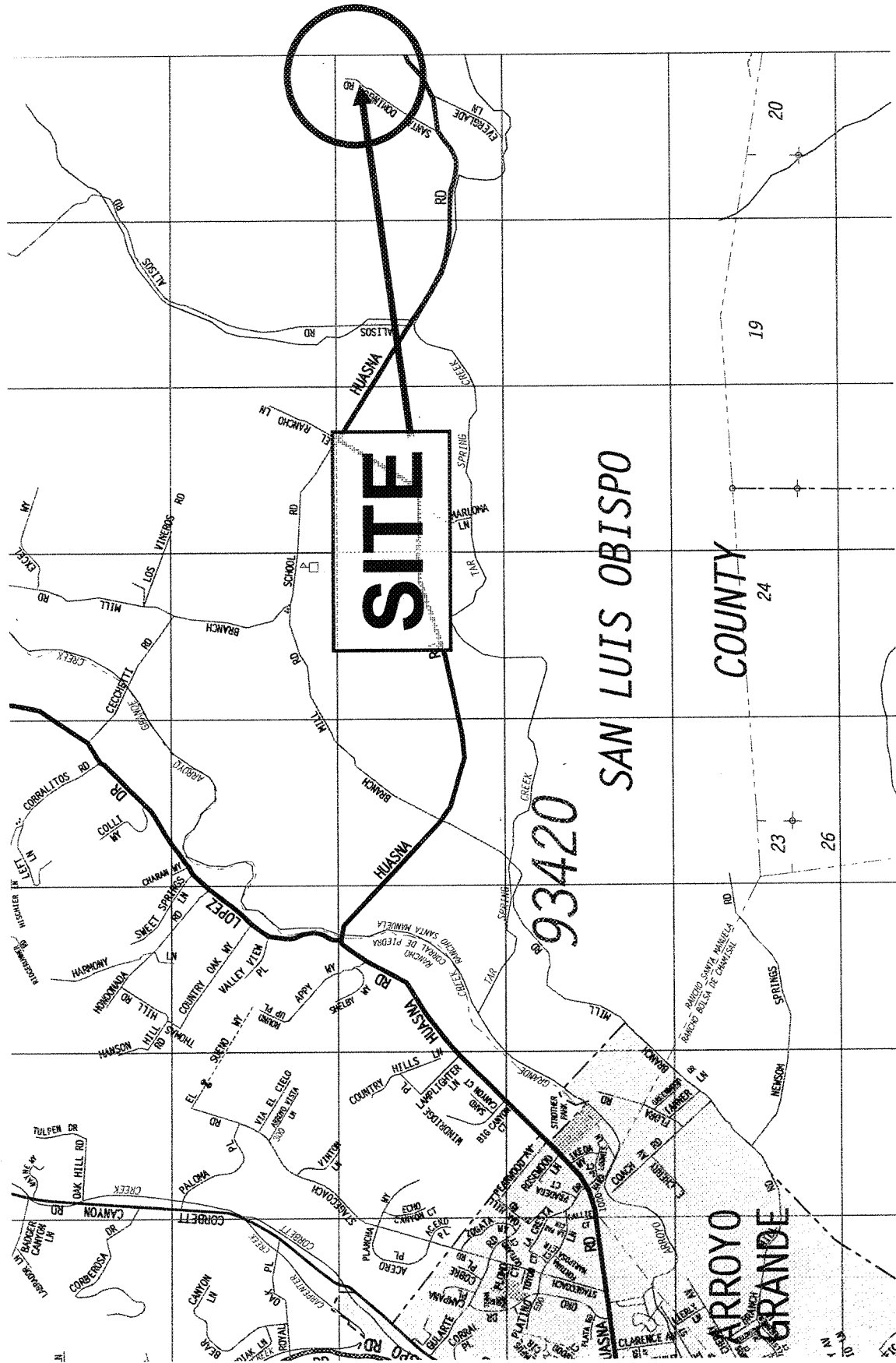
FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because, as adjusted, the parcels meet minimum parcel sizes for the Agriculture land use category.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class Five) pursuant to CEQA Guidelines Section 15303 because the project is a minor lot line adjustment that involves moving 1.41 acres of a 26 acre parcel to another adjacent parcel. This small change in acreage will not have a significant adverse impact on the environment. The project site contains slopes in excess of 20 percent slope, therefore the Class 5 Categorical Exemption does not apply.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action
10. All parcels shall be provided with legal access from a public road. Easements or offers of dedication with a minimum width of 20 feet shall be recorded for all parcels that currently do not have access. These shall be shown on a map (if a map is used to final the adjustment) or recorded with the certificates of compliance.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner



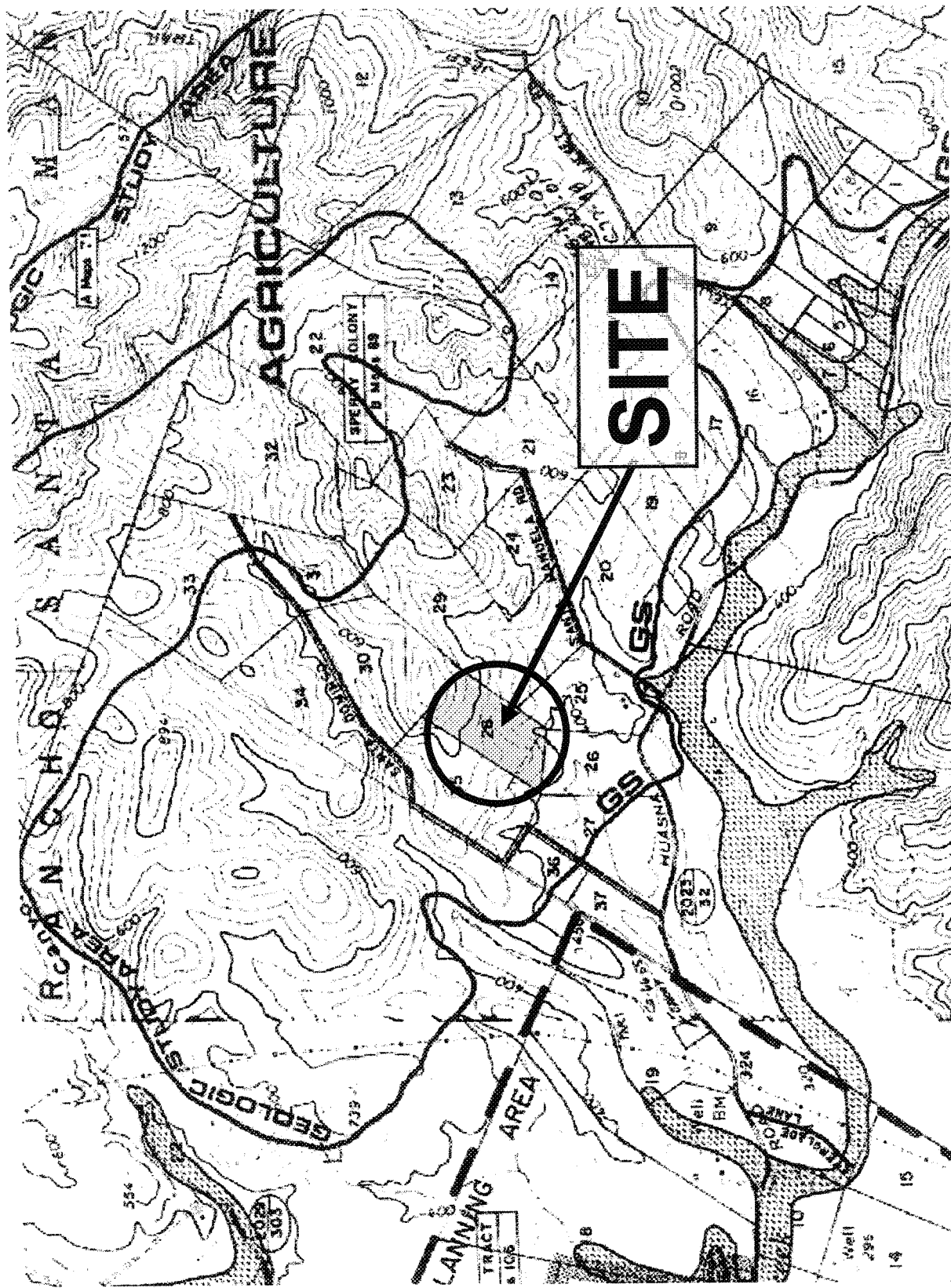
PROJECT

Lot Line Adjustment
MZ ENTERPRISES SUB2005-00067

EXHIBIT

Vicinity





181X

Land Use Category



